IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.60 OF 2007

Shakti Manik Thakur ...Applicant.
V/s.
The State of Maharashtra ...Respondent.

Shri Venagavkar, adv. for the Applicant.
Smt. R.M.Gadhvi, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 20th February, 2007.

P.C.:

1. Heard Mr.Venagavkar, the learned counsel for the applicant and Ms.Gadhavi, the learned APP for the State.

2. The applicant seeks to be released on bail in Crime No.180 of 2006 registered at Manpada Police Station for the offence punishable under Section 302 read with 34 of the I.P.C.

3. Prosecution case in brief is that on 2-7-2006 deceased Manoharan Pannikar left his house informing his wife that he was going to his friend Karunakaran to demand his money. However, he did not return home on that day. As he was in habit of drinking liquor and playing cards at the shop of Karunakaran, his wife did not make any search for him on that day. On 3-7-2006 at

about 10.00 a.m., Manpada police approached her and informed that dead body of Manoharan was found lying near Suchak naka in the ground in front of Vivekanand School. After inquest panchanama dead body was referred for post mortem examination. Initially, in the statement recorded on 3-7-2006 Geeta, wife of the deceased showed a suspicion against Karunakaran. However, on 7-7-2006, she made a supplementary statement to the effect that as per the information received by her later on from Umesh, a friend of the present applicant, that about 4 months prior to this incident, some quarrel had taken place between Manoharan and the applicant Shakti Thakur and in that incident, the applicant had slapped Manoharan. In view of this information, she also showed suspicion against the present applicant. Umesh also made a similar statement before the police. This is how the present applicant came to be arrested. During the investigation on the basis of information given by the present applicant, his blood stained pant and shirt were seized from his house and Farshi stone which was allegedly used for the commission of offence was found lying hidden in the bushes near the spot of the incident. However, as per the C.A.Report though human blood was found on these article, results were inconclusive. Except the recovery of clothes of the applicant and the said Farshi stone,

there is no other evidence direct or circumstantial to connect the present applicant with the crime. Investigation is completed and the charge-sheet is already filed.

4. Taking into consideration the circumstances noted above, I find that the applicant may be granted bail. The applicant is hereby granted bail in the sum of Rs.20,000/- with surety in the like amount with the condition that he shall not tamper the prosecution evidence and shall also report at the police station once in a month till the end of the trial.

5. Application stands disposed off.

(J.H.Bhatia,J.)